

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on February 23, 2006, the following members were present:

Greg Jergeson, Chairman
Brad Molnar, Vice Chairman
Doug Mood, Commissioner
Robert H. Raney, Commissioner

Votes were left open for Commissioner Thomas J. Schneider.

APPEARANCE

Joel Tierney
Utility Division

(56) In the matter of Klabzuba Oil and Gas, Liberty Gas Marketing, TransCanada Gas Services, Inc., Smartenergy.com, MP Energy Services, and Montana Power Trading and Marketing requests to terminate gas supplier licenses and to cancel the gas supplier licenses of Montana Power Trading and Marketing as these entities no longer exist- Docket Nos. N2000.4.59, N2004.4.64, N98.9.143, N97.10.193, N97.10.194, and N98.7.161:

Commissioner Raney moved to grant the request to cancel Klabzuba Oil and Gas', Liberty Gas Marketing's and TransCanada Gas Services, Inc.'s natural gas suppliers licenses and cancel the licenses of MP Energy Services, SmartEnergy.com, and Montana Power Trading and Marketing. Commissioner Mood seconded the motion, which passed 4-0.

APPEARANCE

Scott Fabel
Utility Division

(57) In the matter of Sprint January 25, 2006 filed changes to its Montana Public Service Commission price list. The filing proposes to remove service offerings that are no longer being offered with any customers subscribing to them and make minor text changes for standardization purposes- Docket No. N2006.1.8:

Commissioner Mood moved to approve the changes to Sprint's Montana Public Service Commission price list in Docket No. N2006.1.8. Commissioner Raney seconded the motion, which passed 4-0.

(58) In the matter of Qwest Communications Corporation January 26, 2006 filed Tariff Transmittal QCC06-04. The purpose of this filing is to clarify the availability of residential Qwest Choice Long Distance Plan- Docket No. N2006.1.9:

Commissioner Raney moved to approve Qwest Communications Corporation's Tariff Transmittal QCC06-04 in Docket No. N2006.1.9. Commissioner Molnar seconded the motion, which passed 4-0.

(59) In the matter of Qwest Long Distance (QLD) filed Tariff Transmittal QLD06-04. The purpose of the filing is to clarify the availability of residential Qwest Choice Long Distance Plan- Docket No. N2006.1.10:

Commissioner Raney moved to approve QLD's Tariff Transmittal QLD06-04 in Docket No. N2006.1.10. Commissioner Molnar seconded the motion, which passed 4-0.

(60) In the matter of Citizens Telecommunications Company January 31, 2006 filed Advice Letter No. MT-06-02 Special Promotion. The purpose of this filing is to introduce a promotional offering beginning March 1, 2006, and continuing through May 29, 2006. Residential and business customers who move from one location to another location within the Company's service area will receive a waiver of the applicable non-recurring Service Request Charge. Citizens is requesting a March 1, 2006 effective date- Docket No. N2006.1.12:

Commissioner Mood moved to approve Citizens' Advice Letter No. MT-06-02 in Docket No. N2006.1.12. Commissioner Raney seconded the motion, which passed 4-0.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(61) In the matter of Mark L. Foos dba City Cab, Billings, Montana requests permission to continue the lease of PSC No. 9434 to Mark L. Foos and/or Shelia Y. Foos dba Billings Van and Shuttle Service, Billings, Montana for a one year period, February 13, 2006 to February 13, 2007- Docket No. TN2299:

Commissioner Molnar moved to approve the continued lease of PSC No. 9434. Commissioner Raney seconded the motion, which passed 4-0.

(62) In the matter of the approval of Commission Minutes:

Commissioner Raney moved to approve the Commission Minutes for the week of February 6, 2006. Commissioner Mood seconded the motion, which passed 4-0.

APPEARANCE

Tim Sweeney, Legal Division
Scott Fabel, Utility Division

(63) In the matter of the Commission's discussion of Qwest Duplicate Bill Charge- Docket No. N2005.12.182:

Commissioner Mood moved to approve the Tariff Transmittal in N2005.12.182 with the modification that they would not charge in the event the record request was involved in a billing dispute. Commissioner Molnar seconded the motion, which passed 4-0.

APPEARANCE

Tim Sweeney
Legal Division

(64) In the matter of the Commission's discussion of Qwest pro hac vice application- Docket No. D2005.12.174:

Commissioner Raney moved to approve Thomas M. Dethlefs application for pro hac vice "good cause" admission in D2005.12.174. Commissioner Mood seconded the motion, which passed 4-0.

APPEARANCE

Martin Jacobson
Legal Division

(65) In the matter of the Commission's discussion of Range Telephone Cooperative, Inc. application for ETC status in Qwest's Forsyth, Montana, Exchange- Docket No. D2004.3.88:

Commissioner Molnar moved to issue a Notice of Opportunity for Hearing in Docket No. D2004.3.88. Commissioner Jergeson seconded the motion, which passed 4-0.

(66) In the matter of the Commission's discussion of Cut Bank Gas Company general rate case- Docket No. D2004.3.47:

Commissioner Jergeson moved to approve the Interim Order in Docket No. D2004.3.47 as a Final Order. Commissioner Raney seconded the motion, which passed 4-0.

(67) In the matter of the Commission's discussion of Five Valleys Gas Company general rate case- Docket No. D2004.12.202:

Commissioner Mood moved to approve the Interim Order as a Final Order in Docket No. D2004.12.202. Commissioner Raney seconded the motion, which passed 4-0.

(68) In the matter of the Commission's discussion of Montana Dakota Utilities general rate case- Docket No. D2005.9.148:

Commissioner Jergeson moved to issue an order approving withdrawal of the case and closing the

docket in D2005.9.148. Commissioner Mood seconded the motion, which passed 3-1. Commissioner Molnar voted no.

APPEARANCE

Will Rosquist, Utility Division
Martin Jacobson, Legal Division

(69) In the matter of the Commission's discussion of Energy West Montana adjustments to Energy West Montana's USBC programs- Docket No. D2005.12.177:

Commissioner Raney moved to bifurcate D2005.12.177 into 2 proceedings, the first being Energy West Montana USB, the second being Energy West Montana gas tracker. Commissioner Molnar seconded the motion, which passed 4-0.

Commissioner Jergeson moved to grant Energy West Montana's request for an adjustment in the timing of annual true ups and on the condition that approval of its 2005 and 2006 trackers be consolidated with its 2004 tracker. Commissioner Raney seconded the motion, which passed 4-0.

Commissioner Raney moved to expand D2005.12.177 to include a comprehensive review of Energy West Montana USB programs. Commissioner Molnar seconded the motion, which passed 4-0.

Commissioner Raney moved to direct the Public Service Commission to issue an interim order directing Energy West Montana to distribute \$50,000.00 to Energy Share. Commissioner Jergeson seconded the motion, which passed 4-0.

(70) In the matter of the Commission's discussion of Big Mountain Water request for Tariff modifications- Docket No. D2005.12.179:

Commissioner Molnar moved to deny the tariff modification requests (fraudulent water use and reading of private water meters) on the pleadings in D2005.12.179, without prejudice, on the grounds that Big Mountain seeks to address tariff matters that are not utility services. Commissioner Raney seconded the motion, which passed 4-0.

(71) In the matter of the Commission's discussion of Public Service Commission Initiated Utility Division, Case Management 2006, Closing Inactive Cases- Docket No's N2006.2.20 (includes D95.11.172, MPC; D97.7.148, Woods Bay; D99.4.96, Clark Fork Telecommunications; D99.10.241, U S West; D2000.12.204, Chinook Pipeline; D2002.7.81, NorthWestern Energy; D2002.10.130, NorthWestern Energy; D2002.11.145, Northern Telephone Cooperative; D2003.9.135, MDU; D2003.12.179, Qwest; D2005.6.97, Crystal Lakes.):

Commissioner Raney moved to issue notice of intent to close inactive cases as per work session

request. Commissioner Mood seconded the motion, which passed 4-0.

APPEARANCE

Kate Whitney, Utility Division

(72) In the matter of the Commission's discussion of out-of-state travel for (1) Candace Beery to CREPC in Portland, Oregon, April 5-6; (2) Kate Whitney to ROC in Scottsdale, Arizona, March 28-29; and (3) Tim Sweeney to Telecommunications Law Conference in Seattle, Washington, April 3-4:

Commissioner Mood moved to approve the travel requests. Commissioner Raney seconded the motion, which passed 4-0.

There being no further business to come before the Commission the meeting was adjourned.

GREG JERGSON, Chairman

BRAD MOLNAR, Vice Chairman

DOUG MOOD, Commissioner

ROBERT H. RANEY, Commissioner

THOMAS J. SCHNEIDER, Commissioner

ATTEST:

Connie Jones
Commission Secretary

(SEAL)